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ATTORNEY DOCKET 17341DIV1(92)

1653-1611



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of: DONOVAN  
U.S. Serial No.: 09/706,211  
Filed: November 2, 2000  
For: METHOD FOR TREATING THYROID  
DISORDERS WITH A BOTULINUM TOXIN

) Examiner:  
)  
) Art Unit:  
)  
)  
)  
)  
)  
)  
) Irvine, California

RESPONSE TO NOTICE TO FILE MISSING PARTS

BOX MISSING PARTS  
Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

This letter is in response to the NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION dated February 12, 2001 (copy enclosed) in the above-identified application. The Commissioner was authorized by the November 2, 2000 transmittal letter in this application to charge any "required or necessary fees to deposit account 01-0885".

Additionally, a copy of the declaration in the parent application SN 09/504,538 was enclosed with this application when it was filed. Another copy of the declaration is enclosed.

Since the Commissioner was authorized when this application was filed on November 2, 2000 to charge any required fee to our deposit account and the additional \$20 basic filing fee was not so charged due to patent office error, applicant therefore does not believe that any late filing fee is due.

Should the office disagree, please charge any required or necessary fee to our Deposit Account No. 01-0885.

Respectfully submitted,

Stephen Donovan  
Registration Number 33,433

March 12, 2001

Allergan, Inc., T2-7H  
2525 Dupont Drive  
Irvine, CA 92612  
Telephone: 714 246 4026  
Fax: 714 246 2429

Docket No. 17341DIV1(AP)

I hereby certify that this communication and any additional documents set forth as being enclosed herein are being deposited with the United States Postal Service on March 13, 2001, with sufficient postage as first class mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231.

Paige Perryman  
Name of Person Mailing

Signature of Person Mailing:



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/706,215	11/02/2000	Stephen Donovan	17341DIV5

Stephen Donovan  
Allergan Inc T2 7H  
2525 Dupont Drive  
Irvine, CA 92612

## FORMALITIES LETTER\*



\*OC00000005756948\*

Date Mailed: 02/12/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is insufficient.  
*Applicant must submit \$ 20 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 150.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**DECLARATION AND POWER OF ATTORNEY**

As the inventor named below, I declare that:

This is a declaration and power of attorney to accompany the patent application for the invention entitled "METHOD FOR TREATING THYROID DISORDERS", filed herewith as a 47 page specification, including 20 claims. My residence, post office address, and citizenship are as stated below next to my name. I believe that I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled METHOD FOR TREATING THYROID DISORDERS. The specification of the invention is attached hereto.

I hereby further declare that I have reviewed and understood the contents of the above identified specification, including the claims. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 C.F.R. section 1.56.

As the inventor and applicant for letters patent, I hereby appoint: Stephen Donovan, registration number 33,433; Martin Voet, registration number 25,802; Robert J. Baran, registration number 25,806, and; Carlos Fisher, registration number 36,510, as the attorneys to prosecute this application and to transact all business in the Patent and Trademark Office related thereto.

Please send all correspondence and direct all inquiries to:

Stephen Donovan  
Legal Department  
Allergan, Inc., Tower Two, Seventh Floor  
2525 Dupont Drive, Irvine, California 92612  
Telephone: 714 246 4026

I hereby declare that: all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; any and all statements made herein were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code, and that any such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: February 15, 2000

Stephen Donovan  
Citizenship: Canada  
Residence & Post Office Address:  
27252 Calle Anejo, Capistrano Beach  
California 92624